



**STATE OF CONNECTICUT  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
BUREAU OF MATERIALS MANAGEMENT AND COMPLIANCE  
ASSURANCE  
DIVISION OF ENGINEERING AND ENFORCEMENT  
860-424-3372**

# **General Permit for Contaminated Soil and/or Sediment Management (Staging and Transfer)**

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# General Permit for Contaminated Soil and/or Sediment Management (Staging and Transfer)

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# General Permit for Contaminated Soil and/or Sediment Management (Staging and Transfer)

## Section 1. Authority

This general permit is issued under the authority of sections 22a-133z and 22a-208a of the Connecticut General Statutes.

## Section 2. Definitions

As used in this general permit:

“*Activity*” means the process of staging, temporarily storing, or transferring, contaminated soil and/or sediment at an authorized site (Staging, Transfer and/or Temporary Storage Area).

“*Approval of registration*” means an approval of registration issued under this general permit.

“*Aquifer Protection Area*” (*APA*) means aquifer protection area as defined in section 22a-354h of the General Statutes.

“*Authorized activity*” means any activity authorized by this general permit.

“*Commissioner*” means the commissioner as defined by section 22a-2(b) of the General Statutes.

“*Contaminated soil and/or sediment*” means treated or untreated soil and/or sediment affected by a known or suspected release and determined, or reasonably expected to contain substances exceeding Residential Direct Exposure Criteria or GA Pollutant Mobility Criteria, as these terms are defined in section 22a-133k-1 of the Regulations of Connecticut State Agencies.

“*Day*” means the calendar day; if any date specified in the general permit falls on a Saturday, Sunday, or legal holiday, such deadline shall be the next business day thereafter.

“*Department*” means the Department of Environmental Protection.

“*Disposal*” means disposal as defined in section 22a-207(6) of the General Statutes.

“*Facility*” means transfer station as defined in section 22a-207(10) of the General Statutes.

“*Facility storage*” means the combined volume of all contaminated soil and/or sediment stored at the facility at any single point in time.

“*Facility throughput*” means the combined weight of all contaminated soil and/or sediment and incidental excavation waste introduced into or leaving the facility during a specified period of time.

*“Hazardous waste”* means hazardous waste as identified or listed as hazardous wastes in accordance with section 3001 of the Federal Resource Conservation Recovery Act of 1976 (42 USC section 6901) and section 22a-449(c)-101 of the Regulations of Connecticut State Agencies.

*“Incidental excavation waste”* means any material other than soil, sediment, or other material that does not meet the definition of clean fill as defined in section 22a-209-1 of the Regulations of Connecticut State Agencies generated during excavation activities.

*“Individual permit”* means a permit issued to a named permittee under section 22a-208a of the General Statutes.

*“Permittee”* means a person who is authorized by this general permit to stage, transfer, and temporarily store contaminated soil and/or sediment.

*“Person”* means person as defined by section 22a-2(c) of the General Statutes.

*“Registrant”* means a person who files a registration pursuant to Section 4 of this general permit.

*“Registration”* means a registration form filed with the commissioner pursuant to Section 4 of this general permit.

*“Release”* means release as defined in section 22a-133k-1(a) of the Regulations of Connecticut State Agencies.

*“Sediment”* means sediment as defined in section 22a-133k-1(a) of the Regulations of Connecticut State Agencies.

*“Site”* means geographically contiguous property on which an authorized activity takes place or on which an activity for which authorization is sought under this general permit is proposed to take place. Non-contiguous properties owned or leased by the same person and connected by a right-of-way, which such person controls, shall be deemed the same site.

*“Soil”* means soil as defined in section 22a-133k-1(a) of the Regulations of Connecticut State Agencies.

*“Solid waste”* means solid waste as defined in section 22a-207 of the General Statutes.

*“Solid waste facility”* means solid waste facility as defined in section 22a-207 of the General Statutes.

*“Staging” and/or “Storage”* means the holding of a solid waste not in transit for a temporary period of time, at the end of which the solid waste is recycled, disposed, or stored elsewhere.

### **Section 3. Authorization Under This General Permit**

#### **(a) *Eligible Activities***

Provided the requirements of subsection (b) of this section are satisfied, this general permit authorizes the staging, transfer, and temporary storage of contaminated soil and/or sediment for a period not to exceed two years. This general permit applies only to activities conducted on land.

Note: This general permit *does not* authorize the treatment (reduction of contaminants via physical removal, dilution, chemical stabilization, etc.) of or any specific reuse of contaminated soil and/or sediment.

#### **(b) *Requirements for Authorization***

This general permit authorizes the activities listed in subsection (a) of this section provided:

##### **(1) Registration**

- (A) Except as provided in Sections 4(a)(1) and 4(a)(3) of this general permit, a completed registration with respect to such activity has been filed with the commissioner.
- (B) Except as provided in Sections 4(a)(1) and 4(a)(2) of this general permit, a completed registration with respect to such activity has been filed with the commissioner and the commissioner has issued an approval of registration with respect to such activity.

##### **(2) Coastal Area Management**

Such activity is consistent with all applicable goals and policies in section 22a-92 of the General Statutes and will not cause adverse impacts to coastal resources as defined in section 22a-93 of the General Statutes.

##### **(3) Endangered and Threatened Species**

Such activity does not threaten the continued existence of any species listed pursuant to section 26-306 of the General Statutes as endangered or threatened and will not result in the destruction or adverse modification of habitat essential to such species.

##### **(4) Aquifer Protection**

Such activity shall not be conducted within an Aquifer Protection Area except for the staging and/or temporary storage of less than 10,000 cubic yards of contaminated soil and/or sediment at the site of origin (see Section 4(a)(2) of this general permit for additional registration requirements that apply in such instances).

(5) Stream Channel Encroachment

Such activity shall not create an obstruction or hindrance riverward of Stream Channel Encroachment Lines that will have an adverse effect on the flood heights, flood carrying and water capacity of the waterways and floodplains.

(6) Flood Management

Such activity shall be consistent with all applicable standards and criteria established in sections 25-68d(b) of the General Statutes and sections 25-68h-1 through 25-68h-3, inclusive, of the Regulations of Connecticut State Agencies.

(c) ***Geographic Area***

This general permit applies throughout the State of Connecticut.

(d) ***Effective Date and Expiration Date of this General Permit***

This general permit is effective on the date it is issued by the commissioner and expires five (5) years from such date of issuance.

(e) ***Effective Date and Expiration Date of Authorization***

- (1) For an ***activity that is exempt from the requirement to file a registration as specified in Section 4(a)(1) of this general permit***, such activity is authorized by this general permit on the date the general permit becomes effective *or* on the date the staging, transfer and temporary storage activities commence, *whichever is later* and expires two years from such date *or* on the date this general permit expires, *whichever is sooner*.
- (2) For an ***activity that is required to file a registration as specified in Section 4(a)(2) of this general permit***, such activity is authorized by this general permit on the date the commissioner receives a completed registration with respect to such activity and expires two years from the date the staging, transfer and temporary storage activities commence *or* on the date this general permit expires, *whichever is sooner*.
- (3) For an ***activity that is required to file a registration and obtain an approval of registration as specified in Section 4(a)(3) of this general permit***, such activity is authorized by this general permit on the date the commissioner issues an approval of registration with respect to such activity and expires two years from the date the staging, transfer and temporary storage activities commence *or* on the date this general permit expires, *whichever is sooner*.

(f) ***Revocation of an Individual Permit***

If an activity meets the requirements of authorization of this general permit and such activity is presently authorized by an individual permit, the existing individual permit may be revoked by the commissioner upon a written request by the permittee. If the commissioner revokes such individual permit in writing, such revocation shall take effect on the effective date of authorization of such activity by this general permit.

(g) ***Issuance of an Individual Permit***

If after the commissioner approves a registration under this general permit, the commissioner issues an individual permit authorizing the same activity authorized by such general permit approval, such general permit approval shall become null and void on the date such individual permit is issued.

#### **Section 4. Registration Requirements**

(a) ***Registration Requirements for Contaminated Soil and/or Sediment Staging, Transfer, and Temporary Storage Areas***

All activities authorized under this general permit must be conducted ***in less than two years***. If an activity requiring a registration as listed below is anticipated to exceed the two year time period, such activity must have its registration renewed.

(1) **Who Does NOT Need to File a Registration**

Any person who stages and/or temporarily stores **greater than 10 cubic yards but less than 1,000 cubic yards** of contaminated soil and/or sediment **at the site of excavation**, does not need to file a registration with the commissioner provided such activities are conducted in accordance with the operating conditions of Sections 5(a) and 5(b) *and* all other applicable conditions of this general permit.

Note: If such an activity is located in an Aquifer Protection Area, the local municipal Aquifer Protection Agency shall be notified in writing of such activity.

(2) **Who Must File a Registration**

(A) Any person seeking authorization under this general permit to conduct the following activities in an area that ***is not located*** in an Aquifer Protection Area, shall file with the commissioner, 1) a registration form which meets the requirements of Section 4 of this general permit and 2) the applicable fee.

- Stage and/or temporarily store **greater than or equal to 1,000 cubic yards and less than or equal to 10,000 cubic yards at any one time** of contaminated soil and/or sediment **at the site of excavation for a period exceeding 45 days in duration**.
- Transfer, stage, and/or temporarily store **greater than 10 cubic yards and less than or equal to 10,000 cubic yards at any one time** of contaminated soil and/or sediment **at a site other than the site of excavation** from which the soil and/or sediment originated.

(B) Any person seeking authorization under this general permit to stage and/or temporarily store **greater than 1,000 cubic yards and less than or equal to 10,000 cubic yards at any one time** of contaminated soil and/or sediment **at the site of excavation for a period exceeding 45 days in duration**, and which subject site ***is located*** in an Aquifer Protection Area, shall file with the commissioner, 1) a registration form which meets the

requirements of Section 4 of this general permit and 2) the applicable fee. Such person shall also notify in writing, the local municipal Aquifer Protection Agency.

(3) Who Must Obtain an Approval of Registration

Any person seeking authorization under this general permit to conduct the following activities in an area that *is not located* in an Aquifer Protection Area, shall file with the commissioner, 1) a registration form which meets the requirements of Section 4 of this general permit and 2) the applicable fee *and* shall obtain an approval of registration by the commissioner.

- Stage and/or temporarily store **greater than 10,000 cubic yards at any one time** of contaminated soil and/or sediment **at the site of excavation for a period exceeding 45 days in duration**
- Transfer, stage, and/or temporarily store **greater than 10,000 cubic yards at any one time** of contaminated soil and/or sediment at a site other than the site of excavation from which the soil and/or sediment originated.

(4) Summary of Registration Requirements

Location	Facility Storage	Activity	Required Action
*On Site	Greater than 10 cy but less than 1,000 cy	Staging and/or storage	Comply with General Permit. No Registration.
*On Site	Greater than 1,000 cy but less than 10,000 cy	Staging and/or storage	Comply with General Permit and File a Registration.
On Site; not in an APA	Greater than 10,000 cy	Staging and/or storage	Comply with General Permit and Obtain an Approval of Registration.
Off Site; not in an APA	Greater than 10 cy but less than 10,000 cy	Transfer, staging, and/or storage	Comply with General Permit and File a Registration.
Off Site; not in an APA	Greater than 10,000 cy	Transfer, staging, and/or storage	Comply with General Permit and Obtain an Approval of Registration.

***\* If the activity will be located in an Aquifer Protection Area (APA), the local municipal Aquifer Protection Agency must be notified in writing.***

***(b) Scope of Registration***

Any person shall register each activity, by site, for which such person seeks authorization under this general permit on a separate registration form that meets the requirements of Section 4 of this general permit.

(c) ***Contents of Registration***

(1) **Registration Fees**

- (A) A fee shall be submitted along with a registration form for any registration. A registration shall not be deemed complete and no activity shall be authorized by this general permit unless the fee has been paid in full.
  - (i) All activities requiring a **registration** pursuant to Section 4(a)(2) of this general permit: **\$250.00**
  - (ii) All activities requiring a **renewal of registration** pursuant to Section 4(a)(2) of this general permit: **\$250.00**
  - (iii) All activities requiring an **approval of registration** pursuant to Section 4(a)(3) of this general permit: **\$1,500.00**
  - (iv) All activities requiring a **renewal of an approval of registration** pursuant to Section 4(a)(3) of this general permit: **\$750.00**

**Note:** In accordance with section 22a-6(b) of the General Statutes, the fee for municipalities is fifty percent (50%) of the fee listed above.

- (B) The registration fee shall be paid by check or money order payable to the **Department of Environmental Protection**.
- (C) The registration fees are non-refundable.

(2) **Registration Form**

A registration shall be filed on a form prescribed and provided by the commissioner and shall include the following:

- (A) Legal name, address, and telephone number of the registrant. If the registrant is an entity transacting business in Connecticut, and is required to register with the Connecticut Secretary of the State, provide the exact name as registered with the Connecticut Secretary of the State.
- (B) Legal name, address, and telephone number of the owner of the property on which the subject activity is to occur.
- (C) Legal name, address, and telephone number of the registrant's attorney or other representative, if applicable.
- (D) Legal name, address, and telephone number of any consultant(s) or engineer(s) retained by the registrant to prepare the registration.
- (E) Location of the site with respect to which the registration is submitted.

- (F) Anticipated date of commencement of the subject contaminated soil and/or sediment staging, transfer, and temporary storage activities.
- (G) An 8 1/2" by 11" copy of the relevant portion or a full-sized original of a United States Geological Survey (USGS) quadrangle map, with a scale of 1:24,000, showing the exact location of the site and the area within a one-mile radius of the site. Identify the quadrangle name and number on such copy.
- (H) A registration requiring an approval, pursuant to Section 4(a)(3) of this general permit, must also include the following plans and documents, prepared in accordance with Section 4(c)(3) of this general permit:
  - (i) a Facility Site Plan,
  - (ii) a Facility Description,
  - (iii) a Facility Operations and Management Plan.
- (I) A renewal of registration must provide the following additional information: status of the project, an explanation of why the project needs a renewal of registration, and the anticipated remaining duration of the activities being conducted.
- (J) The signature of the registrant and of the individual or individuals responsible for actually preparing the registration, each of whom shall certify in writing as follows:

“I have personally examined and am familiar with the information submitted in this document and all attachments thereto, and I certify that, based on reasonable investigation, including my inquiry of those individuals responsible for obtaining the information, the submitted information is true, accurate and complete to the best of my knowledge and belief. I understand that a false statement made in the submitted information may be punishable as a criminal offense, in accordance with section 22a-6 of the General Statutes, pursuant to section 53a-157b of the General Statutes, and in accordance with any other applicable statute. I certify that this general permit registration is complete and accurate on forms as prescribed by the commissioner without alteration of their text.”

(3) **Required Plans and Documents for Registrations Requiring an Approval**

The following plans and documents shall be prepared and submitted to the department by those registrants **requiring an approval** issued by the commissioner pursuant to Section 4(a)(3) of this general permit. Such plans and documents shall be prepared in accordance with the following, be available at the site of the subject facility and be maintained for review upon request by the Department.

(A) **Facility Site Plan**

The facility site plan shall provide a clear and detailed presentation of all topographical and man-made features at the subject facility site. The

facility site plan shall also include a drawing showing the layout of the facility. The map or drawing(s) must, at a minimum show the following:

- (i) map scale (scale must be at least 1 in. = 100 ft.);
- (ii) map date;
- (iii) a meridian arrow showing north;
- (iv) contour sufficient to show surface water flow;
- (v) property boundaries of the site.

(B) Facility Description

The facility description must include a detailed description of the facility including the nature and purpose of the excavation activities from which the contaminated soil will originate.

(C) Facility Operations and Management (O&M) Plan

The Facility Operation and Management Plan shall include at a minimum: a Soil Management Plan (that describes how the facility will track, sample, and maintain adequate separation between individual stockpiles of soil during characterization procedures), an Emergency and Preparedness Plan, and a description of the inspection and maintenance procedures for the subject Staging, Transfer, and/or Temporary Storage Area.

(4) **Revision of Required Plans and Documents for Registrations Requiring an Approval**

Whenever any significant or substantial facility or operational change is planned, the permittee shall update the Facility Site Plan, the Facility Description, and the Facility Operation and Management Plan as applicable for the subject facility. Such plans and documents shall be updated prior to making such changes to the facility and shall be submitted to the commissioner for the commissioner's review. The updated plans and documents shall be available at the site of the subject facility and shall be maintained for review upon request by the Department.

For the purpose of this subsection, 'significant or substantial' means any change to the facility that results in a new soil management configuration (i.e. the addition of new storage cells or pile staging areas) or results in a need for the maintenance of additional soil tracking information on the facility operational log.

(d) ***Where to File a Registration and Other Related Documents***

- (1) A registration shall be filed with the commissioner at the following address:

CENTRAL PERMIT PROCESSING UNIT  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
79 ELM STREET  
HARTFORD, CT 06106-5127

- (2) In addition to filing a registration with the commissioner, the registrant shall provide at the same time written notification to the chief elected official of the municipality and, if applicable pursuant to Section 4(a)(2)(B) of this general permit, to the municipal Aquifer Protection Agency, in which the subject facility is or will be located.

***(e) Additional Information***

The commissioner may require a registrant to submit additional information, which the commissioner reasonably deems necessary to evaluate the consistency of the subject activity with the requirements for authorization under this general permit.

***(f) Action by Commissioner***

- (1) The commissioner may reject without prejudice a registration if the commissioner determines that it does not satisfy the requirements of Section 4(c) of this general permit or more than thirty (30) days have elapsed since the commissioner requested that the registrant submit additional information or the required fee and the registrant has not submitted such information or fee. Any registration refiled after such a rejection shall be accompanied by the fee specified in Section 4(c)(1) of this general permit.
- (2) The commissioner may disapprove a registration if the commissioner finds that the subject activity is inconsistent with the requirements for authorization under Section 3 of this general permit, or for any other reason provided by law.
- (3) Disapproval of a registration under this subsection shall constitute notice to the registrant that the subject activity may not lawfully be conducted or maintained without the issuance of an individual permit.
- (4) The commissioner may approve a registration with reasonable conditions. If the commissioner approves a registration with conditions, the permittee shall be bound by such conditions as if they were a part of this general permit.
- (5) Rejection, disapproval, or approval of a registration shall be in writing.

**Section 5. Conditions of This General Permit**

The permittee shall at all times continue to meet the requirements for authorization set forth in Section 3 of this general permit. In addition, the permittee shall ensure that activities authorized by this general permit are conducted in accordance with the following general conditions of Section 5(a) and the applicable specific conditions of Sections 5(b) and 5(c) of this general permit.

***(a) General Operating Conditions for Staging, Transfer, and/or Temporary Storage Areas***

- (1) The permittee shall design, operate, maintain and repair the Staging, Transfer, and/or Temporary Storage Area in conformance with the requirements of this general permit.

- (2) The permittee shall maintain a communications system capable of summoning fire, police, and/or other emergency service personnel.
- (3) Unless exempt from the requirement to file a registration as specified in Section 4(a)(1) of this general permit, the permittee shall post and maintain a sign that is visible from a distance of at least 25 feet at the Staging, Transfer, and/or Temporary Storage Area entrance identifying, at the minimum, the name of the permittee, a contact phone number, the hours of operation, and the phrase 'Temporary Soil Staging Area'.
- (4) The permittee shall take appropriate measures to prevent unauthorized entry onto the stockpiles. Appropriate control measures may be accomplished through the use of fences, gates, or other natural or artificial barriers.
- (5) The permittee shall operate the Staging, Transfer, and/or Temporary Storage Area such that the receipt, unloading and processing, if applicable, of contaminated soil and/or sediment does not occur for periods longer than that which is consistent with the local zoning requirements, if applicable, of the municipality where the activity is occurring.
- (6) During all periods of operation of the Staging, Transfer, and/or Temporary Storage Area, the permittee shall have sufficient personnel on site to inspect contaminated soil and/or sediment for the presence of incidental excavation wastes and materials and for any suspect contaminated soil and/or sediment that may contain hazardous wastes. The permittee shall comply with the following management standards regarding wastes:

**(A) Allowed Wastes and Materials**

This general permit authorizes only the management of contaminated soil and/or sediment, in the Staging, Transfer, and/or Temporary Storage Area.

**(B) Non Authorized Wastes and Materials**

This general permit does not authorize the management of materials or wastes other than contaminated soil and/or sediment. Management of contaminated soil and/or sediment that either contains or is considered to be hazardous waste is not authorized by this general permit).

**(C) Non Authorized Activities**

This general permit does not authorize the treatment (including but not limited to blending and/or mixing) of soil or sediment for the expressed purpose of diluting contaminants.

**(D) Incidental Excavation Waste**

Incidental excavation waste shall be: (1) separated to the satisfaction of the receiving facility or to an extent that renders the contaminated soil and/or sediment suitable for its intended reuse; (2) isolated and temporarily stored in a safe manner prior to off-site transport; and (3) disposed at a facility lawfully authorized to accept such waste. The

maximum amount of incidental excavation waste stored at the Staging, Transfer, and/or Temporary Storage Area shall be as follows:

- (i) **Less than or equal to 10,000 cubic yards of contaminated soil and/or sediment** - No more than 100 cubic yards of incidental excavation waste shall be stored at any one time.
- (ii) **Greater than 10,000 cubic yards of contaminated soil and/or sediment** - No more than 1,000 cubic yards of incidental excavation waste shall be stored at any one time.

(E) **Hazardous Waste**

Hazardous waste inadvertently received at the Facility shall be: (1) promptly sorted, separated, and isolated; (2) recorded in the Site Operating Log required by Section 5(c)(1) of this general permit; and (3) managed in accordance with the conditions contained within section 22a-449(c)-100 through 119 of the Regulations of Connecticut State Agencies (Hazardous Waste Management Regulations).

- (7) The permittee shall at all times take reasonable precautions to control fugitive dust emissions and odors in accordance with section 22a-174-18 and section 22a-174-23, respectively of the Regulations of Connecticut State Agencies.

(b) ***Specific Operating Conditions for Staging, Transfer, and/or Temporary Storage Areas***

- (1) **Erosion Controls.** The permittee shall place the soil stockpiles on a surface sufficiently impervious to prevent or minimize the transfer or infiltration of contaminants from the soil stockpiles to the ground and shall also securely cover any stockpiles of soil when the Staging, Transfer and/or Temporary Storage Area is not in use with an impervious material such as a tarp or other equivalent material to control and minimize storm water run-on and run-off. Soil stockpiles shall be covered at the end of each operating day or at any time that the Staging, Transfer and/or Temporary Storage Area is unattended by the permittee. Run-on/run-off controls shall be consistent with the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control.
- (2) **Dust Controls.** The permittee shall minimize wind erosion and dust transport from the stockpiles and the travel areas of the Staging, Transfer and/or Temporary Storage Area by ensuring that all necessary dust controls (tarps, dust suppressants, routine street sweeping, etc.) are implemented and maintained at all times during periods of operation.
- (3) **Anti-Tracking.** The permittee shall employ anti-tracking measures (street sweepers, anti-tracking pads, etc.) at the Staging, Transfer and/or Temporary Storage Area to ensure that vehicles that have entered the Staging, Transfer and/or Temporary Storage Area do not track soils from the Staging, Transfer and/or Temporary Storage Area onto a public roadway at any time.

Construction entrance anti-tracking pads shall be constructed in a manner that is consistent with the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control.

- (4) **Characterization.** The permittee shall characterize each soil stockpile staged at the Staging, Transfer and/or Temporary Storage Area prior to transporting such stockpile for soil reuse or disposal. The permittee shall analyze soil obtained from representative samples collected from the media such that the permittee can reasonably determine whether such media does or does not exceed any applicable analytical performance standard (such as the Remediation Standard Regulations or a receiving facility's acceptance criteria). The permittee shall ensure that physical separation is maintained between previously sampled soil stockpiles (by means of concrete walls, aisle space, etc.) while awaiting the results of soil sample analyses. The permittee shall ensure that an independent laboratory certified by the Connecticut Department of Public Health for chemical testing performs the soil sample analyses used to characterize the soil.
- (5) **Storage Cell/Pile Capacity and Placement.** Unless otherwise approved in writing by the commissioner as part of a site specific soil management plan, the permittee shall ensure that individual contaminated soil and/or sediment storage piles do not exceed a volume of 1,000 cubic yards and are maintained with a minimum distance of 12 feet from any property line (unless the stockpiles are staged at the site of excavation).
- (6) **Transporter Practices.** The permittee shall instruct the transporters of contaminated soil and/or sediment of best management practices for the transportation of such soil (proper tarping of hauling dump bodies, removing loose material from dump body, etc.).
- (7) **Queuing and Idling of Transport Vehicles.** The permittee shall: (a) control all traffic related to the operation of the facility in such a way as to mitigate the queuing of vehicles off-site and excessive or unsafe traffic impact in the area where the facility is located; and (b) ensure that except as allowed in section 22a-174-18(b)(3)(C) of the Regulations of Connecticut State Agencies, trucks are not left idling for more than three (3) consecutive minutes.

(c) ***Record Keeping Requirements***

- (1) **Site Operating Log.** Unless exempt from the requirement to file a registration as specified in Section 4(a)(1) of this general permit, the permittee shall maintain a Site Operating Log for the duration of the authorized activities. The Site Operating Log shall include up-to-date records that clearly identify the origin of each soil stockpile placed at the Staging, Transfer and/or Temporary Storage Area; indicate the date such soils are received at the Staging, Transfer and/or Temporary Storage Area; list the specific Staging, Transfer and/or Temporary Storage Area storage cell, if applicable; indicate the date such soils are transported from the Staging, Transfer and/or Temporary Storage Area; and, indicate the final disposition (i.e. transportation to a soil processing facility or placement on the land) of such soils.

- (2) **Records Retention.** Unless exempt from the requirement to file a registration as specified in Section 4(a)(1) of this general permit, the permittee shall maintain an up-to-date record of its operating activities during the entire operational period of the Staging, Transfer and/or Temporary Storage Area. At a minimum, the operating record shall include:
- (A) Any initial site characterization data and information and a summary of the Contaminants of Concern (COCs) identified;
  - (B) The location of excavation activities where soils were generated and subsequently transported to the Staging, Transfer and/or Temporary Storage Area for additional sampling and characterization;
  - (C) An accounting of the total facility throughput including the quantity of soil (expressed in tons or cubic yards) shipped to and stored at the Staging, Transfer and/or Temporary Storage Area during sampling and characterization procedures;
  - (D) A statement describing each of the soil reuse, or disposal sites (facility name, location, and address) utilized and an accounting of the quantity of soil (expressed in tons or cubic yards) shipped to each;
  - (E) Certifications, site maps, the site operating log, and either a complete set of the soil sampling test results or a complete set of soil sampling summary tables, and;
  - (F) Any other data or documents required by this authorization.

The permittee shall retain the operating record at its place of business for a period of at least three years following the expiration of this permit and shall make such records available for review by the commissioner or the commissioner's designee upon request.

## **Section 6. General Conditions**

### **(a) *Reliance on Registration***

When evaluating a registration, the commissioner relies on information provided by the registrant. If such information proves to be false or incomplete, the authorization issued under this general permit may be suspended or revoked in accordance with law, and the commissioner may take any other legal action provided by law.

### **(b) *Duty to Correct and Report Violations***

Upon learning of a violation of a condition of this general permit, the permittee shall immediately take all reasonable action to determine the cause of such violation, correct such violation and mitigate its results, prevent further such violation, and report in writing such violation and such corrective action to the commissioner within five (5) days of the permittee's learning of such violation. Such report shall be certified in accordance with Section 6(d) of this general permit.

**(c) *Duty to Provide Information***

If the commissioner requests any information pertinent to the authorized activity or to determine compliance with this general permit, the permittee shall provide such information in writing within thirty (30) days of such request. Such information shall be certified in accordance with Section 6(d) of this general permit.

**(d) *Certification of Documents***

Any document, including but not limited to any notice, which is submitted to the commissioner under this general permit shall be signed, as applicable, by the registrant or the permittee in accordance with section 22a-430-3(b)(2) of the Regulations of Connecticut State Agencies, and by the individual or individuals responsible for actually preparing such document, each of whom shall certify in writing as follows:

“I have personally examined and am familiar with the information submitted in this document and all attachments thereto, and I certify that, based on reasonable investigation, including my inquiry of those individuals responsible for obtaining the information, the submitted information is true, accurate and complete to the best of my knowledge and belief. I understand that a false statement made in the submitted information may be punishable as a criminal offense, in accordance with section 22a-6 of the General Statutes, pursuant to section 53a-157b of the General Statutes, and in accordance with any other applicable statute.”

**(e) *Date of Filing***

For purposes of this general permit, the date of filing with the commissioner of any document is the date such document is received by the commissioner.

**(f) *False Statements***

Any false statement in any information submitted pursuant to this general permit may be punishable as a criminal offense, in accordance with section 22a-6 of the General Statutes, pursuant to section 53a-157b of the General Statutes, and in accordance with any other applicable statute.

**(g) *Correction of Inaccuracies***

Within fifteen (15) days after the date a permittee becomes aware of a change in any of the information submitted pursuant to this general permit, becomes aware that any such information is inaccurate or misleading, or that any relevant information has been omitted, such permittee shall correct the inaccurate or misleading information or supply the omitted information in writing to the commissioner. Such information shall be certified in accordance with Section 6(d) of this general permit. The provisions of this subsection shall apply both while a request for approval of registration is pending and after the commissioner has approved such request.

**(h) *Transfer of Authorization***

A registration or an approval of registration under this general permit is transferable only in accordance with the provisions of section 22a-60 of the General Statutes.

(i) ***Other Applicable Law***

Nothing in this general permit shall relieve the permittee of the obligation to comply with any other applicable federal, state and local law, including but not limited to the obligation to obtain any other authorizations required by such law.

(j) ***Other Rights***

This general permit is subject to and does not derogate any present or future rights or powers of the State of Connecticut and conveys no rights in real or personal property nor any exclusive privileges, and is subject to all public and private rights and to any federal, state, and local laws pertinent to the property or activity affected by such general permit. In conducting any activity authorized hereunder, the permittee may not cause pollution, impairment, or destruction of the air, water, or other natural resources of this state. The issuance of this general permit shall not create any presumption that this general permit should or will be renewed.

## **Section 7. Commissioner's Powers**

(a) ***Abatement of Violations***

The commissioner may take any action provided by law to abate a violation of this general permit, including the commencement of proceedings to collect penalties for such violation. The commissioner may, by summary proceedings or otherwise and for any reason provided by law, including violation of this general permit, revoke a permittee's authorization hereunder in accordance with sections 22a-3a-2 through 22a-3a-6, inclusive, of the Regulations of Connecticut State Agencies. Nothing herein shall be construed to affect any remedy available to the commissioner by law.

(b) ***General Permit Revocation, Suspension, or Modification***

The commissioner may, for any reason provided by law, by summary proceedings or otherwise, revoke or suspend this general permit or modify it to establish any appropriate conditions, schedules of compliance, or other provisions which may be necessary to protect human health or the environment.

(c) ***Filing of an Individual Permit Application***

If the commissioner notifies a permittee in writing that such permittee must obtain an individual permit to continue lawfully conducting the activity authorized by this general permit, the permittee may continue conducting such activity only if the permittee files an application for an individual permit within thirty (30) days of receiving the commissioner's notice. While such application is pending before the commissioner, the permittee shall comply with the terms and conditions of this general permit and the subject approval of registration. Nothing herein shall affect the commissioner's power to revoke a permittee's authorization under this general permit at any time.

Issued Date: September 7, 2006

GINA McCARTHY

Commissioner

This is a true and accurate copy of the general permit executed on **September 7, 2006** by the Commissioner of the Department of Environmental Protection.